

SENATE BILL REPORT

SB 5411

As Reported By Senate Committee On:
Labor, Commerce & Financial Institutions, February 22, 2001
Ways & Means, March 22, 2001

Title: An act relating to occupational diseases affecting fire fighters.

Brief Description: Describing occupational diseases affecting fire fighters.

Sponsors: Senators Patterson, Zarelli, Gardner, Costa, Roach, Constantine, Prentice, Winsley, Kohl-Welles, McAuliffe and Rasmussen.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 2/22/01 [DPS, DNP].
Ways & Means: 3/21/01, 3/22/01 [DPS (LCF), DNP].

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: That Substitute Senate Bill No. 5411 as recommended by Committee on Labor, Commerce & Financial Institutions be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Gardner, Vice Chair; Benton, Patterson, Rasmussen, Regala, West and Winsley.

Minority Report: Do not pass.

Signed by Senators Hochstatter and Honeyford.

Staff: Jack Brummel (786-7428)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5411 as recommended by Committee on Labor, Commerce & Financial Institutions be substituted therefor, and the substitute bill do pass.

Signed by Senators Brown, Chair; Constantine, Vice Chair; Fairley, Vice Chair; Fraser, Kline, Kohl-Welles, Rasmussen, Roach, B. Sheldon, Snyder, Spanel, Thibaudeau, Winsley and Zarelli.

Minority Report: Do not pass.

Signed by Senators Hewitt, Honeyford and Rossi.

Staff: Brian Sims (786-7431)

Background: Fire fighters are exposed to extreme heat and cold, smoke, fumes, infectious diseases, and toxic or chemical substances at a much higher rate than the general population.

Many states have statutes which create a presumption that certain illnesses suffered by fire fighters are occupational diseases for industrial insurance purposes. In 1987, the Legislature created a rebuttable presumption that respiratory diseases in fire fighters is occupationally related.

Summary of Substitute Bill: A rebuttable presumption is established that a fire fighter's heart problem is an occupational disease if it is experienced within 72 hours of exposure to smoke, fumes, and toxic or chemical substances. Cancers of the skin, breasts, central nervous system, or lymphatic, digestive, hematological, urinary, skeletal, oral, or reproductive systems are presumed to be occupational diseases if the claimant has served as a fire fighter for ten or more years and showed no evidence of cancer upon becoming a fire fighter. Infectious diseases are also presumed to be occupational diseases.

Substitute Bill Compared to Original Bill: The original bill specified a number of infectious diseases. The substitute does not, making the presumption apply to infectious diseases in general. The substitute makes several technical changes.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is narrowly drawn. Heart problems have to be within 72 hours of exposure. Fire fighters are at a higher risk for a heart fibrillation, TB and brain cancer by virtue of their occupation.

Testimony Against: The bill is too broad for cancer and infectious diseases. Existing law has a cap of five years after leaving service. Brain cancer is the only cancer with evidence linking it to the occupation of fire fighting.

Testified: Cody Arledge, WSCFF (pro); Joe Robertson, Jeff Milton, Seattle FD (pro); Ray Proper, Tacoma FD (pro); Jeff Bonnell, Renton FD (pro); Senator Patterson (pro); Gary Franklin, L&I; Jim Justin, Assn. of WA Cities (con); Roger Ferris, WA Fire Comm. Assn. (con).